

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

UNITED STATES OF AMERICA,	:	
	:	Case No. 1:14-cr-00214-27
Plaintiff,	:	
	:	
vs.	:	ORDER
	:	
TONY GOODWIN,	:	
	:	
Defendant.	:	

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

Tony Goodwin moved for a sentence reduction under the compassionate-release statute.¹ Goodwin's motion argued, in part, that a nonretroactive sentencing-law change presented an extraordinary and compelling reason for relief.²

When Goodwin filed his motion, the Sixth Circuit had issued conflicting decisions about whether district courts could consider nonretroactive sentencing-law changes when deciding compassionate-release motions.³ But the en banc Sixth Circuit appeared ready to resolve the intracircuit split in *United States v. McCall*.⁴

On October 17, 2022, the Court granted Goodwin's motion to hold his compassionate-release motion in abeyance pending the Sixth Circuit's *McCall* decision.⁵

On December 22, 2022, the Sixth Circuit issued its *McCall* decision.⁶ The en banc court held that nonretroactive sentencing-law changes do not provide extraordinary and

¹ Doc. 1314; 18 U.S.C. § 3582(c)(1)(A)(ii).

² Doc. 1314 at 3–5 (PageID 8226–28).

³ See *United States v. McCall*, 21-3400, 2022 WL 17843865, at *2 (6th Cir. Dec. 22, 2022) (describing the split).

⁴ *United States v. McCall*, 29 F.4th 816 (6th Cir. 2022) (mem.) (granting rehearing en banc).

⁵ Doc. 1345.

⁶ *McCall*, 2022 WL 17843865 (6th Cir. Dec. 22, 2022).

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compelling reasons to grant compassionate release.⁷

Now, the Court **LIFTS THE STAY** on Goodwin's motion and **ORDERS** Goodwin to file any supplement within 21 days of this order. The Court further **ORDERS** the Government to respond within 14 days of Goodwin's supplement.

IT IS SO ORDERED

Dated: December 28, 2022

s/ *James S. Gwin*
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE

⁷ *McCall*, 2022 WL 17843865, at *5–11 (6th Cir. Dec. 22, 2022)